

We do not think that the materials for manufacturing the biochip have any relationship with the patentability of our current patent applications.

Response to the Detailed Action Items 5 and 6:

In the Item 6, Claims 1-53, 88 and 89 were rejected under 35 U.S.C 103 and based on patents of Guzman (US 6,406,604) and Shmidt et al (US 5,131,994) and application by Borrelli et al (WO99/55460).

Response

Patent application 10/055878 has nothing to do with gel electrophoresis. The structures of the biochip and related instrument fundamentally differ from the structures in the referenced patents of Guzman (US 6,406,604) and Shmidt et al (US 5,131,994) and the application by Borrelli et al (WO99/55460).



Ben Liu
Inventor of Application 10/055878
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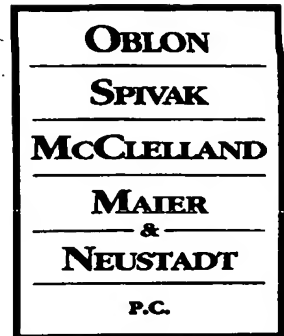
Office Address: Ben Liu, Ph.D.
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2000 Regency Parkway, Suite 395
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Home Address: Ben Liu
5720 Thistleton Lane
Raleigh, North Carolina 27606

Adjustment date: 11/12/2004 SDIRETA1
08/24/2004 WPHILLIP 00000018 150030 10055878
01 FC:1251 110.00 CR

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September 17, 2004



ATTORNEYS AT LAW
KATHLEEN A. MORSBERGER
CONTROLLER
(703) 412-6494
KMORSBERGER@OBLON.COM

UNITED STATES PATENT AND TRADEMARK OFFICE
Box 16
Washington, DC 20231

Attn: Frank Lebron
Refund Department

Re: Deposit Account #150030

Dear Mr. Lebron:

Enclosed is a copy of a portion of our Deposit Account Statement of August, 2004. Please review the highlighted charge on Serial Number 10/055,878 in the amount of \$110.00 on fee code #1251.

As evidenced by the attachment, we withdrew as attorneys of record on November 4, 2003. There should be no charges on our deposit account for this application.

If you have any questions, please contact Debbie Noel at (703) 412-6296. Thank you for your assistance in this matter.

Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Debra J. Noel
Accounting Department

Enclosure



United States
Patent and
Trademark Office

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Deposit Account Statement

Requested Statement Month:

August 2004

Deposit Account Number:

150030

Name:

NORMAN F. OBLON

Attention:

Address:

1940 DUKE STREET

City:

ALEXANDRIA

State:

VA

Zip:

22314

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
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OSMM&N File No. 215518US-23

Dept.: KLH

By: KLH/knd

Serial No. 825,557

Patent No. _____

In the matter of: Ben Hui LIU

For: A FOUR DIMENSIONAL BIOCHIP DESIGN FOR HIGH THROUGHPUT APPLICATIONS AND METHODS OF USING THE FOUR DIMENSIONAL BIOCHIP

The following has been received in the U.S. Patent Office on the date stamped hereon:

■ PETITION FOR ATTORNEY WITHDRAWAL UNDER 37 CFR 1.36 (in triplicate)

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
10/055,878	01/28/2002	Ben Hui Liu	215518US23

22850
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET
ALEXANDRIA, VA 22314

CONFIRMATION NO. 2053



OC000000012178710

Date Filed: 03/24/2004

NOTICE REGARDING CHANGED POWER OF ATTORNEY

This is in response to the Power of Attorney filed 11/05/2003.

- The withdrawal as attorney in this application has been accepted. Future correspondence will be mailed to the new address of record. 37 CFR 1.33.

GWENDOLYN PAYNE
1600 (571) 272-0500

FORMER ATTORNEY/AGENT COPY

RECEIVED: 32604
OBLON, SPIVAK, McCLELLAND
MAIER & NEUSTADT, P.C.
DOCKETING DEPT

Initials/Date Docketed: W-32604
Type of Resp(s):
Due Date(s):